

09 Aug 2022

REQUEST FOR PROPOSAL: No. RFP/BON/2022/008/AGG

**CONSTRUCTION OF FIVE (5) ACCOMMODATION ROOMS AND STAFF AND GUEST HOUSE
BLOCKS FOR UNHCR IN KAKUMA**

CLOSING DATE: 18 SEPTEMBER 2022 at 23:59

INTRODUCTION TO UNHCR

The Office of the United Nations High Commissioner for Refugees was established on December 14, 1950, by the United Nations General Assembly. The agency is mandated to lead and co-ordinate international action to protect refugees and resolve refugee problems worldwide. Its primary purpose is to safeguard the rights and well-being of refugees. It also has a mandate to help stateless people.

In more than five decades, the agency has helped tens of millions of people restart their lives. Today, a staff of over 9,000 people in more than 110 countries continues to help about 89.3 million persons. To help and protect some of the world's most vulnerable people in so many places and types of environments, UNHCR must purchase goods and services worldwide. For further information on UNHCR, its mandate and operations please see <http://www.unhcr.org>.

1. REQUIREMENTS

The Office of the United Nations High Commissioner for Refugees (UNHCR), The Representation Office in Nairobi invites registered, reputable, and qualified companies to submit a firm offer for the **construction of five (5) accommodation rooms and staff and guest house blocks for UNHCR in Kakuma**

The construction work includes Preliminary works, excavation and earthworks, substructure works, superstructure works, fixing of doors and windows, roofing, finishes, painting, and decorations, electrical, and plumbing and sanitation works

IMPORTANT:

The BOQs Specification are detailed in the Annexes B of this document.

It is strongly recommended that this Request for Proposal and its annexes be read thoroughly. Failure to observe the procedures laid out therein may result in disqualification from the evaluation process.

Sub-Contracting: Please take careful note of article 5 of the attached General Terms and Conditions (Annex D).

Note: this document is not construed in any way as an offer to contract with your firm.

2. BIDDING INFORMATION:

2.1. RFP DOCUMENTS

The following annexes form integral part of this Request for Proposal:

- Annex A: Terms of References (TORs)
- Annex B: Financial Offer Forms/BOQs
- Annex C: Drawings
 - Annex C1- drawing for five (5) accommodation rooms
 - ANNEX C2- drawing for the guest and staff accommodation block
- Annex D: Vendor Registration Form



- Annex E: UNHCR's General Conditions of Contracts for the provision of Goods and Services
Annex F: UN Supplier's Code of Conduct
Annex G: The UN General Conditions for the Provision of Civil works
Annex H: eTenderBox Supplier User Manual
Annex I: eTenderBox Registration Guide

2.2 **ACKNOWLEDGMENT**

We would appreciate your informing us of the receipt of this RFP by return e-mail to kennasu@unhcr.org as to:

- Your confirmation of receipt of this RFP
- Whether or not you will be submitting a bid

2.21 **SITE VISIT**

Site visit is **mandatory**, and bidders should write to Kennasu@unhcr.org to show their interest to participate in the **site visit** scheduled on **22 August 2022 from 10:00 to 11:00 hrs. EAT and will be facilitated by UNHCR Engineer.**

The travel and other expenditures for site visit will be borne by bidders.

2.3.2 **REQUESTS FOR CLARIFICATION**

Bidders are required to submit any request for clarification or any question in respect of this RFP by e-mail at kennasu@unhcr.org. **The deadline for receipt of questions 23:59 hrs. EAT on 17 August 2022.** Bidders are requested to keep all questions concise.

IMPORTANT:

Please note that Bid Submissions are **NOT** to be sent to the e-mail address above. Bid Submissions sent directly to the e-mail address above will result in disqualification of the offer.

UNHCR will reply to the questions received via email to all the potential bidders.

2.4 **YOUR OFFER**

IMPORTANT:

Cancellation of Solicitation: UHCR reserves the right to cancel a Solicitation at any stage of the procurement process prior to final notice of award of a contract.

Your offer shall be prepared in English.

Please submit your offer using the Annexes provided. Offers not conforming to the requested formats may be not taken into consideration.

IMPORTANT:

Inclusion of copies of your offer with any correspondence sent directly to the attention of the responsible buyer or any other UNHCR staff other than the submission e-mail address will result in automatic disqualification of the offer. Please send your bid directly to the address provided in the "Submission of Bid" section 2.6) of this RFP.

Your offer shall comprise the following two sets of documents:

- Technical offer



2.4.1 **Content of the TECHNICAL OFFER**

IMPORTANT: No pricing information should be included in the technical offer. Failure to comply may risk disqualification. The technical offer should contain all information required.

Your technical offer should be concisely presented and structured in the following order to include, but not necessarily be limited to, the following information:

- **Description of the company and the company's qualifications**

A description of your company with the following documents: company profile, registration certificate and last audit reports:

- Certificate of incorporation
- Tax Compliance certificate
- If multi location company, specify headquarters location
- Number of similar and successfully completed projects
- Number of similar projects currently underway
- Total number of clients
- Audited accounts for the last three years

Include any information that will facilitate our evaluation of your company's substantive reliability, financial and managerial capacity to provide the services.

- **Understanding of the services required and Work Plan.**

Kindly provide a detailed work plan and methodology on how you would be able to undertake the services.

- **Proposed personnel. Tools and Equipment's to carry out the assignment**

Confirmation of provision of the necessary required personal. tools and for the required services.

- **Quality Certification of the material:**

Confirmation of the quality (Brand and Grade) of material to be used to undertake the works

Please note that this is a voluntary competition process and UNHCR will not accept claims of any kind including financial; from the companies for their expenses incurred for participation in the process.

-**Vendor Registration Form:** If your company is not already registered with UNHCR, you should complete, sign, and submit with your technical proposal the Vendor Registration Form (**Annex D**).

Your technical offer should contain your acknowledgement UNHCR's General Conditions of Contracts for the Provision of Goods and/or Services-Revised 2018, UN Supplier's Code Of conduct, and the UN General Conditions for the Provision of Civil works by signing **Annex E, Annex F & G**

However, please note that submitting an offer is deemed as full acceptance of UNHCR's General Conditions for Provision of Goods and Services and UN Suppliers Code of Conduct.

2.4.2 **Content of the FINANCIAL OFFER**

Your separate **Financial Offer** must contain an overall offer in a single currency of **Kenya Shilling** (KES). The financial offer must cover all the services to be provided (price "all inclusive").

The Financial Offer is to be submitted as per the Financial Offer Form (**Annex B**). Bids that have a different price structure may not be accepted.

UNHCR is exempt from all direct taxes and customs duties. With this regard, price must be given without VAT.

You are requested to hold your offer valid for **[180]** days from the deadline for submission. UNHCR will make its best effort to select a company within this period. UNHCR's standard payment terms are within 30 days after satisfactory implementation and receipt of documents in order.

The cost of preparing a bid and of negotiating a contract, including any related travel, is not reimbursable nor can it be included as a direct cost of the assignment. Any activity undertaken or expenses incurred in preparation of a contract before an actual contract is signed shall be borne by the Bidder. An advance notice or information of award is not to be considered as a contract.

UNHCR will not provide any advance payments or payments by letter of credit. The standard payment terms are by bank transfer net thirty (30) days after acceptance of contractor's invoice and delivery of the goods to the and/or acceptance by UNHCR of the services.

Performance Bond: The qualified company will be required to provide a Performance Bond issued by an accredited bank in the favor of UNHCR equivalent to 10% of the proposed bid amount. This is required prior the signature of the contract, upon receipt of the letter of award and only applicable to the company awarded with the project.

Retention Fee: It should be noted by the companies that 10% equivalent amount of the contract value shall be retained by UNHCR against the works performed during the period of execution of projects. The retention fee will be retained by UNHCR until completion of defects liability period of one (1) year after the substantial completion date.

2.5 **BID EVALUATION:**

Each proposal from a Bidder will be considered separately and independently. Bidders shall submit a complete proposal for each solicitation in which they wish to participate. References to previous or on-going proposals will be not considered. Award of a previous contract with UNHCR will not be considered in itself as a preference or guarantee for the award of future solicitations on the same subject.

2.5.1 **Supplier Registration:**

The qualified supplier(s) will be added to the Vendor Database after investigation of suitability based on the submitted Vendor Registration Form and supporting documents. The investigation involves consideration of several factors such as:

- Financial standing.
- Core business.
- Track record.
- Contract capacity.

Failure to provide the abovementioned documentation, might lead to disqualification.

2.5.2 **Technical and Financial evaluation:**

Evaluation is made on a technical and financial basis with a weight of 60 marks allocated to the technical component and 40 marks to the financial component.

Technical Evaluation:

In the first component of the technical evaluation there are **three pre-conditions** that **must be met** by a bidder to qualify for further consideration in the technical evaluation. Pre-conditions are not ratable components of the technical proposal but evaluated through a Pass/ Fail system. The pre-conditions are:

1. Your company must be registered by Kenyan Government Authority to perform the required services in Kenya (proof of existence by submitting Certificate of Incorporation from the Registrar of Companies in Kenya)
2. Your company is currently licensed with National Construction Authority (NCA 6 -NCA 1) and this will be verified online through NCA portal.
3. Your company has a valid tax compliance certificate from KRA (an online check will be done)
4. The company must have been in existence for 3 years and above

5. Company do not have any reputational or performance issues in the past 3 years in any works carried out for UNHCR, UN Agencies, NGO, or Government entity.

The companies who pass the pre-conditions will go through further technical evaluation and UNHCR has established evaluation criteria which govern the selection of offers received.

The second component of the **Technical offer** will be evaluated using inter alia the following criteria and percentage distribution: **[70] %** from the total score:

No	Technical evaluation Criteria	Total Marks (70)
A	MANDATORY CRITERIA	
1	Registered by Kenyan Government Authority to perform the required services in Kenya (proof of existence by submitting Certificate of Incorporation from the Registrar of Companies in Kenya)	PASS/FAIL
2	Licensed with National Construction Authority (NCA 6 -NCA 1) and this will be verified online through NCA portal.	PASS/FAIL
3	Valid tax compliance certificate from KRA (an online check will be done)	PASS/FAIL
4	Company has been in existence for 3 years and above	PASS/FAIL
5	Company do not have any reputational or performance issues in the past 3 years in any works carried out for UNHCR, UN Agencies, NGO, or Government entity.	PASS/FAIL
B	WEIGHTED CRITERIA	Total Marks (70)
2	<p>Company profile, proposed approach, Methodology, timing, and outputs, Implementation schedules</p> <p>Comprehensive company profile containing relevant information related to aspects of the project being the project being sourced – 3 marks</p> <p>Understanding requirements of proposed works (Methodology that covers all aspects of construction project management, including a relevant project workplan)</p> <p>Provide a well detailed methodological statement describing how the contractor will understand the project scope and how he will execute the works following the minimum requirements as below listed:</p> <ul style="list-style-type: none"> • - Construction site preparation • - General construction process • Substructure works • Main Structure frame construction • Reinforcement works • Concrete works • Formwork and scaffolding work • Walling • Roofing and Installation works. • Electrical works • - External Works • Finishes works • Landscaping and drainage • Other civil works <p>Scoring methodology:</p> <p>a) No proof or evidence or does not meet the minimum requirements: 0 pt.</p> <p>b) Partially meets the requirements with major gaps: 1 mark.</p>	15

	<p>c) Partially meets the requirements with minor gaps: 2 marks d) Fully meets the requirements: 4 marks e) Exceeds the minimum requirements: 5 marks.</p> <p>A detailed and relevant workplan: a) shortest contract period (2 mark) (Bidders with longer project finalization period – based on the number of weeks offered - will get proportionally less points). b) Works Program (1 mark) c) Sectional completion/handover Program (1 mark)</p> <p>A detailed mobilization schedule showing initial dates and completion dates for mobilizing personnel, materials, and equipment to be used for the Works. a) shortest mobilization period (3 points) b) Bidders with longer mobilization period – based on the number of weeks offered - will get proportionally less points as follows: If the shortest period is X weeks, the corresponding company gets 3 points. If the second shortest period is Y weeks, this company will get = (X/Y) *3 TOTAL</p>	
3	<p>Relevant Experience of Firm with Government or Private sector or NGOs/INGOs or UN agencies in a standard construction works. (Attach completion certificates/ POs/Copy of Contracts for Building works construction to completion of value of KES 5 million and above in the last 3 years. Evidence means a valid certificate of completion of building letter showing all the references and value of the project and the date of completion for each project.)</p> <p>Experience on similar projects with evidence - (over 10 projects) - 15marks Experience on similar projects with evidence - (5 to 10 projects) - 10marks Experience on similar projects with evidence - (3 to 4 projects) -5marks Experience on similar projects with evidence -(1-2)- 1 mark 0 mark if not provided</p>	15
4	<p>Qualification of Technical Staff (attach CVs and copies of certificates with at least 3 years' experience)</p> <p>Site/Project Engineer/Manager, MSc/BSc in Eng. Civil/Structural/Elec/Mech; with 10 similar projects experience = 10 Marks</p> <p>Site/Project Engineer/Manager, MSc/BSc in Eng. Civil/Structural/Elec/Mech; with less than 10 similar projects experience = less than 10 Marks (proportionally to the number of projects but not less than 6 marks)</p> <p>Higher National Diploma in Eng. Civil/Structural/Elec/Mech/ with at least 2 similar project experience = 5 marks</p>	10
5	<p>Machinery & Equipment (attach logbooks owned or letter of lease</p>	10

	from 3rd Party witness by Lawyer) Ownership or lease of major equipment including, but not limited to the below listed items. Proof of ownership e.g., copies of logbooks, receipts, letters of insurance etc. and/or lease agreements to be provided or a company commitment for inspection at any time. a) Concrete mixing & placing plant/equipment (3 points) b) Vehicle Transport (3 points) c) Steel cutting & Bending Tools (2 point) d) Power Tools/Equipment (1 point) e) Metal formwork capacity (1 point) - All the listed Equipment (10 points) - Less than the listed items (Pro-rata) Leased equipment to be scored half of relevant maximum point for owned equipment	
6	Financial capacity (10 marks) – Attach financial audit reports for the past 3 years If the current ratio for the three years is > or = 1 (20 points) If the current ratio two last years is > or = 1 (10 points) If only the current ratio for the last year is > or=1 (5 points) If the current ratios for the third year and the first year are > or 1 (5 points) If only the current ratio for the first year or the second year or the first year and the second year are > or =1 (3 points) If all the current ratios for the three consecutive last years are < 1 (0 point)	20

The Technical offer score will be calculated according to the percentage distribution as per technical evaluation criteria above

The cut-off points for submissions to be considered technically compliant will be **45 marks out of the maximum 70 available marks**.

Clarifications of Proposals:

To assist in the examination, evaluation, and comparison of proposals UNHCR may at its discretion ask the bidder for clarification about the content of the proposal. The request for clarification and the response shall be in writing and no change in price or substance of the proposal shall be sought, offered, or accepted.

Financial Evaluation:

Only companies found to be technically complaint will be considered for the financial evaluation. Companies that did not meet the cut-off points (45 marks out of the maximum 70 marks) to be considered technically complaint will not be eligible for financial evolution.

The **Financial offer** will as mentioned be evaluated with a maximum score of 30 marks. The maximum number of points will be allotted to the lowest price offer that is opened and compared among those invited firms. All other price offers will receive points in inverse proportion to the lowest price, e.g., [30 marks] x [US\$ lowest] \ [US\$ other] = points for other supplier's Price Component.

Bidders are required to quote their prices in a single currency of Kenya Shilling. For evaluation purposes only, the offers will be converted into US Dollars using the United Nations rate of exchange in effect on the date the submissions are due.

2.6 SUBMISSION OF BID:

Bids should be submitted by file upload to eTenderBox, the online bid registration tool of UNHCR. The eTenderBox can be accessed via the following URL:

<http://etenderbox.unhcr.org>

In order to use eTenderBox, registration on the website is required. This registration is exclusively for eTenderBox and does not replace any other registration for UNHCR applications. One supplier should have only one registered email account in the system. Therefore, the supplier must use only one eTenderBox account for managing its offers to UNHCR. In case the password is forgotten that account cannot be used anymore, and new registration is required. Registration Guide (Annex H) and Use Manual of eTenderBox (Annex G) are available at the above URL and attached this cover page.

IMPORTANT: The technical and financial offers shall be clearly separated by uploading them to the appropriate category in the system. Failure to do so may result in disqualification.

Allowed extension for files to upload are .doc, .docx, .xls, .xlsx, .rtf, .png, .jpg, .jpeg, .pdf, .txt, .zip, .ppt, .pptx, .mbp, .rar, .gif, .tif and .tiff. Executable files (.exe, .bat, .cmd, etc.) should not be uploaded. The maximum size limit per file is 10MB.

Uploaded files can be amended by the Supplier while the tender is open. The selected files for upload are submitted when the 'Save & Submit' button is clicked on. Therefore, this button must be clicked before the deadline expires. If done so, the selected files will be submitted and uploaded successfully even if the deadline expires during the file upload. It is the Supplier's responsibility to ensure that all files of the final offer are submitted by the tender expiration deadline. Once the deadline for submission is expired, the bid will be automatically closed after which the uploaded files can be reviewed but options for additional upload and deletion of previously uploaded files are not available anymore. In order to ensure the safe submission of the full and final offer, it is recommended to have all files uploaded well before the tender deadline.

Deadline for submitting the proposal: 18 September 2022: 23:59 hrs. EAT

2.7 BID ACCEPTANCE:

UNHCR reserves the right to accept the whole or part of your bid or allow split or partial awards on this project.

UNHCR may at its discretion increase or decrease the proposed content when awarding the contract and would not expect a significant variation of the rate submitted. Any such increase or decrease in the contract duration would be negotiated with the successful bidder as part of the finalization of the Purchase Orders for Services.

UNHCR may, at its discretion, extend the deadline for the submission of bids, by notifying all prospective suppliers in writing. The extension of the deadline may accompany a modification of the solicitation documents prepared by UNHCR at its own initiative or in response to a clarification requested by a prospective supplier.

Please note that UNHCR is not bound to select any of the firms submitting bids and does not bind itself in any way to select the firm offering the lowest price. Furthermore, the contract will be awarded to the bid considered most responsive to the needs, as well as conforming to UNHCR's general principles, including economy and efficiency and best value for money.

2.8 CURRENCY AND PAYMENT TERMS FOR PURCHASE ORDERS



Any Purchase Order (PO) issued as a result of this RFP will be made in the currency of the winning offer(s) i.e. Kenya Shilling. Payment will be made in accordance to the General Conditions for the Provision of Goods and Services and in the currency in which the PO is issued. Payments shall only be initiated after confirmation of successful completion by UNHCR business owner.

2.9 UNHCR GENERAL CONDITIONS OF CONTRACTS FOR CIVIL WORKS

Please note that the General Conditions of Contracts (**Annex G**) will be strictly adhered to for the purpose of any future contract. The Bidder must confirm the acceptance of these terms and conditions in writing.

2.10 UN supplier's code of Conduct

Please must confirm the acceptance of the UN Supplier's code of conduct (**Annex F**).

Thank you

A handwritten signature in blue ink, appearing to read 'Amedee Gaetan GAMBENI'.

Amedee Gaetan GAMBENI
Senior Supply Officer
UNHCR, Sub-Office Dadaab